

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION
INTER-OFFICE MEMO**

April 1, 2008

TO: Gary Sasse, Director

DEPT: Department of Revenue

FROM: Walter Craddock, Esq. Chairman

DEPT: Division of Motor Vehicles

SUBJECT: HEARING BOARD RESULTS

Please be advised of the following matters which were heard before the Board on Thursday , March 27, 2008. Also be advised the following people were present during the hearing: Joseph I. Monteiro, Chief, Enforcement/ Regulations and Legal Counsel Marcy Coleman, Esq., Division of Legal Services and the hearing Board members: Walter Craddock, Esq., James Botvin, Dennis Gerstmeyer and Cpl. David Doucet of the Rhode Island State Police.

Absent: Thomas Ricci

MEETING OF MARCH 27, 2008 AT 9:00 AM

**DIVISION OF MOTOR VEHICLES – 100 MAIN STREET, PAWTUCKET,
RI 02860**

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF THE MARCH 20,
2008 BOARD HEARING.**

Minutes reviewed and accepted by the board.

2. TARBOX HYUNDAI (Edward P. Tarbox, Pres.)

TRANSFER APPLICATION – CASE #KR-08-059

FROM: 405 QUAKER LANE, WEST WARWICK, RI 02893

TO: 870 QUAKER LANE, WARWICK, RI 02818

**Decision: The Board has approved the transfer application subject to
the following conditions:**

**1. The dealership must incorporate the Tarbox Big Lot Auto Depot
name with Hyundai to do business at 870 Quaker Lane, Warwick, RI
02818 under a single new car license to sell vehicles or they must
maintain two licenses and meet all the requirements of two separate
dealership, one new dealership and one used dealership.**

HEARINGS RESULTS

PAGE 2 OF 3

2. Lease must be reviewed and approved by the legal department of the Department of Motor Vehicles.

3. Dealership must obtain a second hand license to do business from the city of Warwick.

4. Site inspection to be performed by Kevin Rabbitt of the Dealers License and Regulations Office.

Letters on file of no protest.

The Board has delegated authority to coordinate the completion of this application from Mr. Ed Tarbox of Tarbox Hyundai and Tarbox Big Lot Auto Depot to the Dealers License and Regulations Office who will insure the dealership meets all the requirements based on the decision of the dealership to maintain two separate licenses or if they choose to request one license.

3. LAUREL HILL AUTO SALES (Peter Geneconte, Pres./ Deborah A. Kennedy, Esq.) V. 1010 AUTO SALES (Lisa Rothermel, Pres.)

SURETY BOND ACTION – CASE #DS-07-115

Cpl. David Doucet of the Rhode State Police recused himself from this hearing.

Decision: The Board has granted Laurel Hill Auto Sales, Peter Geneconte, President permission to file against the 2006 Surety Bond of 1010 Auto Sales, number 69330760, issued by Western Surety Company for the amount of \$63,660.00.

4. DIVISION OF MOTOR VEHICLES V. CAPRICE AUTO SALES, INC. (Gregory Porcaro, Pres.)

SHOW CAUSE HEARING – CASE # DS-C-08

Decision: The Board has dismissed case without prejudice. Caprice Auto Sales paid balance due on checks in question in the amount of \$5,058.00.

5. MERCEDES PINEDA V. AMC GROUP MOTOR SALES (Ronald Giorgio, Pres.)

CASE #DS-07-232

COMPLAINT / SHOW CAUSE HEARING

Decision: The Board has dismissed this complaint. It has been

determined that the dealership, AMC Motor Sales is not responsible for repairing the damage to roof of the vehicle owned by Mercedes Pineda, but they have agreed to fix the roof for the amount of \$175.00 as a goodwill gesture.

HEARINGS SCHEDULED

PAGE 3 OF 3

6. JOHNNY CASTILLO V. FOX TOYOTA (Jack H. Fox, Pres.)

CASE #KR-07-0297

COMPLAINT / SHOW CAUSE HEARING

Decision: The Board has dismissed the complaint. The consumer purchased the vehicle knowing that it was sold as is and that it had passed a Rhode State Inspection.

7. COURTESY HYUNDAI, INC. (John Martins, Pres.)

FIRST APPLICATION CASE #KR-080-065

TO DEAL IN NEW HYUNDAI'S AND USED AUTOMOBILES ONLY.

AT 1588 NEWPORT AVENUE, PAWTUCKET RI 02861

Decision: The Board has approved this application subject to the following:

- 1. Site inspection by of the Dealers License & Regulations Office.**
- 2. Issuance of a second hand license by the city of Pawtucket.**
- 3. Letter of intent from Hyundai.**
- 4. All plates and licenses to be surrendered to the Dealers License and Regulations Office from County Motors, license number 122 and plates 244 A-S and Pride Hyundai, license 541 and plates 260 A-I.**
- 5. Receipt of completed Bureau of Criminal Identification report from the Department of Attorney General for the State of Rhode Island.**
- 6. That Courtesy Hyundai, Inc. will use the three buildings located at 1562 Newport Avenue, 1588 Newport Avenue and 1600 Newport Avenue in Pawtucket, Rhode Island.**

Letters on file of no protest.

The Board has approved twelve (12) dealers' plates subject to the dealership submitting an employee list with a minimum of 10 employees listed.

Walter Craddock, Esq. Chairman

Cc: Charles Dolan, Administrator, DMV

John DiTomasso, Assistant Administrator, DMV

Joseph I. Monteiro, Chief Enforcement/Regulations, DMV

Marcy Coleman, Esq., Division of Legal Services, DOA

File